

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 1002-028

Applicant: Charles BYRD

Confirmation No. 2759

Appl. No.: 10/827,520

Examiner: James M. Kish

Filing Date: April 20, 2004

Art Unit: 3737

Title:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Form PTO/SB/08A. On Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(e)(2), that is within three months of learning of the disclosed references in an Office Action from the USPTO, and therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 50-3869.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: October 30, 2007

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